

# EXHIBIT D

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the Matter  
of

Case No.  
1-08-01789

SIPC V. MADOFF,

Debtor.

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August 6, 2009  
United States Custom House  
One Bowling Green  
New York, New York 10004

In Re First Application for Interim Professional  
Compensation for Services Rendered and Reimbursement of  
Actual and Necessary Expenses Incurred for Baker &  
Hostetler LLP, et al.

B E F O R E:

HON. BURTON R. LIFLAND,  
U.S. Bankruptcy Judge

1 Bankruptcy Court litigation, especially in connection with  
2 the foreign countries, and we have made a number of  
3 appearances in the District Court at Judge Stanton's  
4 request in connection with the SEC action.

5 With respect to my fees, Your Honor, I  
6 would like the record to note that I have voluntarily reduced  
7 my fees by 10 percent. That is a reduction of about  
8 \$84,000, Your Honor. As I indicated there is a deferral  
9 of about \$150,000 in the laboring case.

10 Also, I did not bill for, I wrote off  
11 approximately 176 hours, which is about another \$123,000.  
12 So in seeking the \$759,228.75, and the approval of payment  
13 of \$607,383, I submit, Your Honor, those are reasonable  
14 requests under the circumstances of this proceeding.

15 As noted at paragraph 33 of my application  
16 and contrary to the implication of certain objections that  
17 have been filed with the Court and before the press, the  
18 amounts that will be rewarded either today or at another  
19 time are going to be turned over to Baker Hostetler, the  
20 firm of which I am a partner. I want to emphasize I will  
21 not retain any portion of the award.

22 I previously reported and can tell you  
23 again that the general estate has been and will continue to  
24 be insufficient to meet the costs of administration  
25 including legal fees. Thus, under all appropriate